

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

21-cr-10104 (PBS)

VLADISLAV KLYUSHIN,  
a/k/a "Vladislav Kliushin"

Defendant

JOINT MOTION FOR RESTITUTION ORDER

At sentencing, the Court deferred its restitution determination until December 5, 2023. It directed the parties to confer as to whether they could agree on the restitution owed to the filing agent victims, and to report back to the Court on or before October 20, 2023. (Docket No. 255). On October 23, 2023, the Court allowed the parties an additional seven days to report on their progress. (Docket No. 256).

The parties have identified an amount representing expenses incurred by the filing agents in responding to the network intrusions that were the subject of the defendant's prosecution, and which the defendant does not dispute were reasonable, foreseeable and necessary. The defendant does not dispute that the amount below reflects costs incurred by each filing agent in "responding to [the] offense, conducting a damage assessment, and restoring the data, program, system, or information to its condition prior to the offense," and that these costs have a rational basis in the record before the Court. *See* 18 U.S.C. § 1030(e)(11); *In re Akebia Therapeutics*, 981 F.3d 32, 36 (1st Cir. 2020). That undisputed amount totals \$2,446,942.41, representing incident response costs of \$2,056,877.55 for Donnelly Financial and \$390,064.86 for Toppan Merrill.

10/30/23  
Allowed.  
Patricia Saris